

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

1900 Capitol Avenue
Sacramento, California 95814
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OFFICE OF THE EXECUTIVE DIRECTOR

August 7, 2002

02-0016

To: All Individuals and Groups Interested in the Activities of the California Commission on Teacher Credentialing

From: Sam W. Swofford, Ed.D., Executive Director

Subject: Proposed Amendments to Sections 80054.5 and 80020.4.1 of Title 5, California Code of Regulations, Concerning the Administrative Services Credential Authorization and Services A Teacher May Provide

Notice of Public Hearing is Hereby Given

In accordance with Commission policy, the following Title 5 Regulation is being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined, while the deleted is ~~lined through~~.

A public hearing on the proposed actions will be held:

October 3, 2002

10:00 a.m.

California Commission on Teacher Credentialing

1900 Capitol Avenue

Sacramento, California 95814

Oral comments on the proposed action will be taken at a public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Terri H. Fesperman at 916-323-5777 regarding this. Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the commissioners and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on October 2, 2002. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the California Commission on Teacher Credentialing, attn. Terri H. Fesperman, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at tfesperman@ctc.ca.gov.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Authority and Reference

Education Code §44225 authorizes the Commission to adopt the proposed action, which will implement, interpret or make specific Section 44065 of the Education Code and govern the procedures of the Commission.

Informative Digest/Policy Statement Overview

Summary of Existing Laws and Regulations

Education Code §44225 provides that the Commission may promulgate rules and regulations. Section 44065 list the authorization for the Administrative Services Credential.

80054.5(a) - *authorization for the school site administrator holding an Administrative Services Credential* -the authority to establish requirements for credentials appears in subsection (d) of §44225. EC §44065(a) gives the Commission the authority to designate in regulations which of the subsections of EC §44065(a) consist of rendering service in directing, coordinating, supervising or administrating. Based on this authority, the proposed change to subsection (a) focuses on the specific duties administrators provide at the site level while holding the Administrative Services Credential including:

- (a)(1) *evaluating quality and effectiveness of instructional services* as found in EC §44065(a)(12) (the interpretation and evaluation of the school instructional program),
- (a)(2) *evaluation of certificated staff* as found in EC §44065(a)(1) (work of instructors and the instructional program for pupils); school site administrators may be evaluated by individuals at the district or county level office, and
- (a)(3) *student and employee discipline* as found in EC §44065(a)(8) (activities connected with the enforcement of the laws relating to compulsory education, coordination of child welfare activities involving the school and the home, and the school adjustment of pupils) pursuant to Charter 6 of Part 27 of Division 4 of Title 2 of the Education Code commencing with Section 48900.

80054.5(b) - revised to list the *duties an individual holding an Administrative Services Credential serving at the school site, district or county level may provide if the credential is required by the employer.*

80054.5(c) and (d) - changed only with the *lettering of the subsections.*

The existing Title 5 Regulations for the authorization of the Administrative Services Credential may be used for assignments at the school site, district or county level. Education Code §44065 lists thirteen areas of responsibility and allows the Commission to determine which credentials authorize the service for these areas of responsibility, administrative or non-administrative. Some of the duties listed in the section such as evaluating the work of instructors and the instructional program for pupils are clearly administrative while others such as the in-service training of teachers, principals, or other certificated staff is not exclusively an administrative duty.

Education Code §44860 states when a principal is required to hold an administrative credential at a school site. Additional sections of the Education Code require some individuals in district and county level positions to hold an Administrative Services Credential. The proposed changes to the Section 80054.5 focus on the need for an administrative credential for administrators providing site-based instructional leadership and school management at a school site. Allowing other certificated personnel to provide some of the services currently listed in Section 80054 would enable site administrators to focus on the role of instructional leadership and would provide more flexibility in staffing positions at the district or county level office.

80020.4.1 (a) through (e) - removes the specific title of program coordinator and replaces it with wording to describe the types of duties (develop, direct, implement, or coordinate programs) an individual may provide at the school site.

Amending Title 5 §80020.4.1 will clarify the types of services an individual holding a teaching credential based on a bachelor's degree and teacher preparation program including student teaching may provide in the area of program coordination at a school site. The proposed changes will clarify for the districts and counties the types of duties an individual may provide while holding a teaching credential in addition to serving in a classroom.

Documents Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations: None.

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate costs to local agencies or school districts: These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

Other non-discretionary costs or savings imposed upon local agencies: None.

Cost or savings to any state agency: None.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private persons or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]: The Commission has made an assessment that the proposed amendments to the regulation would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not effect small businesses. The regulations are not mandatory but an option that effects school districts and county offices of education.

Consideration of Alternatives

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or small businesses than the proposed action. Interested individuals may present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Terri H. Fesperman by telephone at (916) 323-5777 or Terri H. Fesperman, California Commission on Teacher Credentialing, 1900 Capitol Ave, Sacramento, CA 95814. General question inquiries may also be directed to Rhonda Stearns at (916) 323-7140

or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's web site at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at www.ct.ca.gov or you may obtain a copy by contacting Terri H. Fesperman at (916) 323-5777.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at www.ct.ca.gov.

Title 5 §80054.5. Services Credential with a Specialization in Administrative Services; Authorization.

- (a) An individual must hold a Services Credential with a Specialization in Administrative Services to provide the services described below in grades twelve and below, including preschool, and in classes organized primarily for adults:
- (1) evaluating quality and effectiveness of instructional services at the school site level,
 - (2) evaluation of certificated personnel employed at the school site level, with the exception of the site administrator, and
 - (3) student and employee discipline services of certificated personnel at the school site level as found in subsections (b)(3) and (4) of this section.
- (a)(b) The holder of a A Services Credential with a Specialization in Administrative Services authorizes the holder to may provide the services described below in grades twelve and below, including preschool, and in classes organized primarily for adults.
- (1) Development, coordination, and assessment of instructional programs;
 - (2) Evaluation of certificated and classified personnel;
 - (3) Student discipline, including but not limited to suspension and expulsion, pursuant to Article 1 of Chapter 6 of Part 27 of Division 4 of Title 2 of the Education Code commencing with Section 48900;
 - (4) Certificated and classified employee discipline, including but not limited to suspension, dismissal, and reinstatement, pursuant to Chapters 4 and 5 of Part 25 of Division 3 of the Education Code commencing with Section 44800;
 - (5) Supervision of certificated and classified personnel;
 - (6) Management of school site, district or county level fiscal services;
 - (7) Recruitment, employment, and assignment of certificated and classified personnel; and
 - (8) Development, coordination, and supervision of student support services including but not limited to extracurricular activities, pupil personnel services, health services, library services, and technology support services.
- ~~(b)(c)~~ Nothing in these regulations is intended to impinge upon the authority of the local governing board to authorize classified personnel to supervise other classified employees.
- ~~(e)(d)~~ Nothing in these regulations is intended to limit the employment and assignment authority of local governing boards under Education Code Sections 44270.2, 44065(d), 44069(c), 44834, or any other provision that may provide local discretion in the assignment of personnel.

Note: Authority cited: Section 44225, Education Code. Reference: Section 44065, 44069, 44270.2, 48900, and 44834, Education Code.

Title 5 Section 80020.4.1. Services a Teacher Serving as Program Coordinator May Provide.

- (a) The holder of a California teaching credential based on a baccalaureate degree and a teacher preparation program, including student teaching or the equivalent may ~~serve as staff development or curricular development program coordinator~~ develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning at the school site, ~~school district, or county level~~ in grades twelve and below, including preschool, and in classes organized primarily for adults.
- (b) The holder of a California designated subjects adult teaching credential may ~~serve as staff development or curricular development program coordinator~~ develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning for adult teaching subject areas.
- (c) The holder of a California designated subjects vocational teaching credential ~~serve as staff development or curricular development program coordinator~~ develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning for vocational teaching subject areas.
- (d) Irrespective of the provisions set out in this section, only individuals who hold either the Reading and Language Arts Specialist Credential or Administrative Services Credential may develop, direct, implement, and coordinate school district or county reading programs. Effective July 1, 2004, school site reading programs may only be developed, directed, implemented, or coordinated by individuals who hold the Reading and Language Arts Specialist Credential, Restricted Reading Specialist Credential, Reading Certificate, or Administrative Services Credential.
- (e) An individual who has ~~served as a reading coordinator~~ developed, directed, implemented, or coordinated reading programs for a minimum of three years prior to July 1, 2004, on the basis of a California teaching credential based on a baccalaureate degree and a teacher preparation program, including student teaching or the equivalent, shall be authorized to continue in such assignment. Verification of this teaching experience must be kept on file in the office of the employing agency for purposes of the monitoring of certificated assignments pursuant to Education Code Section 44258.9(b).

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d) and 44258.9(b), Education Code.

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Attn: Terri H. Fesperman, CAW Division

**Title: Administrative Services Credential
Authorization and Services A Teacher May
Provide**

Section: Proposed Amendments to Title 5 Sections 80054.5
and 80020.4.1

Response to the Attached Title 5 Regulations

So that the California Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 Regulations, please return this response form to the Commission office, attention Terri H. Fesperman, at the above address or fax to her attention at (916) 322-0048. Please respond by 5:00 pm October 2, 2002, in order that the material can be presented at the October 3, 2002 public hearing.

- 1. **Yes**, I agree with the proposed Title 5 Regulations. Please count me in favor of these regulations.
- 2. **No**, I do not agree with the proposed Title 5 Regulations for the following reasons:
(If additional space is needed, use the reverse of this sheet.)

- 3. Personal opinion of the undersigned and/or
- 4. Organizational opinion representing: (Circle One)
School District, County Schools, College, University, Professional Organization, Other
- 5. I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
- 6. No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

Route to THF